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By Wm Cobbett

THE *Rush-Light.*

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BEING THE FIFTH NUMBER OF VOLUME I.

LETTERS FROM P. PORCUPINE TO DR. PRIESTLEY, AND THOMAS COOPER.

"How are the mighty fallen!—Tell it not in
"Gath, publish it not in the streets of Askelon!"
SAM. II. c. i. v. 19. 20.

Introduction.

THE friend of Priestley and of Cooper (if they have one left on earth) may now imitate the pathetic solicitation of David, when he heard of the disgraceful catastrophe of Saul and of Jonathan; for, if there be any thing, which can yet add a sting to the torment of their minds, it assuredly must be the dread of that derision, which a knowledge of their present situation is calculated to produce amongst those, whom they have so insolently reproached for peaceably

and loyally submitting to the rule of their Sovereign, and whom they have so earnestly besought to exchange the *tyranny* of a king for the *freedom* of a republick. But, on this subject, solicitation, however pathetic, would, and ought to be, in vain; for, though no one can help feeling some compassion for the humbled demagogues, every British subject, who has it in his power, must regard it as his duty to make use of the example, now furnished by themselves, for the purpose of eradicating the principles, which they have, but too successfully, endeavoured to implant.—Such, I solemnly declare, is the motive, from which I now take up the pen.

THE character, the principles, the former conduct, of Doctor Priestley are too well known to require an elucidation. And, as to Mr. Cooper, most people know, that he is also an Englishman by birth, that he has for a long time been a most disaffected subject, that he accompanied the traitor *Watt* in an embassy to the rebel assembly of France, that he afterwards, in 1793, came to America, returned home in 1794, and published a book, exhorting his countrymen to emigrate to this land of liberty,* whither, finally, he returned himself in 1795, and settled at Northumberland,

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* THIS book is entitled, "*Some Information Respecting* "*America*," and a most mischievous publication it has proved. Hundreds of poor deluded Englishmen curse the hour that the author was born: but, more of this hereafter.

Northumberland, in the State of Pennsylvania, where he had previously provided a retreat for himself and his friend Priestley.

BEING now arrived in that republican paradise, which they had so long sought, it was reasonable to suppose, that they would pass the remainder of their days in peace; but, it was, on the other hand, not unreasonable to suppose, that they would expect promotion under a government, which they had made use of such unwarrantable means to exalt above all others.

WHILE General Washington was President, they seem to have been willing to forego their pretensions; but the election of Mr. Adams was an event well calculated to awaken their dormant patriotism, and to encourage them to seek for an opportunity of exerting those eminent talents, of which they had, as it were, robbed their native country purely for the good of America.

MR. Adams had, it seems, lived upon terms of great intimacy with Doctor Priestley, in England, where, if the Doctor's vanity does not lead him beyond the truth, they frequently assembled with Dr. Price and other worthies of the same stamp, all of whom most humanely, benevolently, and generously concurred in a wish to better the lot of ill-fated Britons by an extension of their political liberty and religious toleration. When, therefore, the Birmingham Philosopher arrived

arrived in America, his acquaintance with Mr. Adams was renewed, and was cultivated, on both sides, with at least, much apparent sincerity.

THAT Mr. Adams had little objection to the religious tenets of the Doctor is not to be doubted; for, of a course of sermons, which the latter preached, at Philadelphia, during the winter of 1796, Mr. Adams was a constant hearer, nay further, these sermons, which were soon afterwards published, were, by *permission*, dedicated to him, and it was even stated in the dedication, that *they were published at his request.*

IT is not, therefore, surprising, that the Doctor looked upon the exaltation of this Gentleman to the President's chair, as the dawn of his own importance; and, it must be confessed, that a man far less sanguine than Dr. Priestley, might have built his hopes on a slighter foundation. Accordingly, the very next session of Congress, after Mr. Adams's election, his friend the Doctor appeared as a candidate for the post of Chaplain to the House of Representatives. Great exertions were made in his favour, but all without effect; he had only *twenty six* votes out of a hundred. John Knox was yet too strong for Socinus.

IN bestowing the post of Congressional Chaplain, the President, it was known, had little or no

no influence ; therefore, the defeat in the House of Representatives did not at all discourage the hopes of the Doctor, or of his brother emigrant. Mr. Adams was installed in March, 1797, and though offices in his gift are not very plenty, Cooper found one that suited him in a very little time. An agent was to be appointed, on the part of the United States, to attend to their interests before the Board of Commissioners, assembled at Philadelphia, in virtue of the sixth article of the treaty of amity and commerce between Great Britain and America. The business of this agent was to examine the validity of the claims preferred against the United States, and to make objections to them if necessary ; in fact the office was neither more nor less than that of counsel for the defendant; of course, it required a lawyer to fill it, and it is by no means wonderful, that Cooper, who was bred to that profession, should take a fancy to the salary. Priestley undertook to give him the following recommendation to the President.

"*August* 12, 1797.

"DEAR SIR,

"IT was far from being my intention, "or my wish, to trouble you with the request of "any favours, tho' it is *now* in your power to grant "them ; and it is not at all probable that I shall ever "take a second liberty of the kind. But circum- "stances have arisen which, I think, call upon me "to do it once, tho' not for myself but a friend.

"The

" The office of Agent for American claims, was of-
" fered, I understand to Mr. Hall of Sunbury, and
" he has declined it. If this be the case, and no
" other person be yet fixed upon, I should be very
" happy if I could serve Mr. Cooper (a man, I
" doubt not, of at least equal ability, and possessed
" of every other qualification for the office) by re-
" commending him. It is true that both he and
" myself fall, in the language of our calumniators,
" under the description of *Democrats* who are stu-
" diously represented as enemies to what is called
" *government* both in England and here. What *I*
" have done to deserve that character you well
" know, and Mr. Cooper has done very little
" more. In fact, we have both been persecuted
" for being friends to American liberty, and our
" preference of the government of this country
" has brought us both hither. However, were
" the accusation true, I think the apppointment
" of a man of unquestionable ability and fidelity
" to his trust, for which I would make myself
" answerable, would be such a mark of superio-
" rity to popular prejudice as I should expect
" from you. I *therefore think it no unfavourable*
" *circumstance in the recommendation.* That you
" will act according to your best judgement I
" have no doubt, with respect to this and other
" affairs of infinitely more moment, thro' which I
" am persuaded you will bring the country with
" reputation to yourself, tho', in circumstances of
" such uncommon difficulty, perhaps with less
" ease and satisfaction than I could wish. With

my

" my earnest wishes for the honour and tranquillity
" of your Presidency,

" I am, Dear Sir,
" yours sincerely,
" JOSEPH PRIESTLEY."

" SIR,

" ON my expressing an inclination
" for the office which Mr. Hall has declined, Dr.
" Priestley was so good as to offer his services with
" you on my behalf.

" PROBABLY the office will be filled 'ere this
" letter can reach you: probably there may be ob-
" jections to nominating a person not a native of
" the country: probably *the objection mentioned*
" *by Dr. Priestley may reasonably be deemed of*
" *weight in my instance.* Be all this as it may, I
" see no impropriety in the present application,
" to be appointed Agent of American claims, for
" it is still possible I may suppose more weight
" in the objections than they will be found to
" deserve. If it should so happen that I am no-
" minated to that office I shall endeavour to me-
" rit the character the Doctor has given of me,
" and your esteem. I am, &c.
" THOMAS COOPER."

IT must be confessed, that there is nothing crawling in either of these letters: they breathe as independent a spirit as letters, on such a subject, possibly can. Nor do I, indeed, see any thing in them that an *American* has a right to find fault with. The Doctor's assertion, that he and Cooper were persecuted in England for their attachment

attachment to America, shall be noticed hereafter.

WHAT answer the President gave to the letters, or, whether he ever gave any at all, is not publickly known; but, in a very little while after the date of Cooper's application, one Reid of Philadelphia, was appointed to the office, which appointment, as is natural to suppose, gave the Northumberland patriots great offence. In point of talents Cooper was certainly very far superior to Reid; but then, it was justly considered, by those who talked on the subject, that the revolutionary pretensions of the former were, at least, doubtful, while, it was notorious that the latter was the son of a member of the *Old Congress*, who had, besides, filled the office of Governor of Pennsylvania, in those glorious times when Roberts and Carlisle were sent to the gallows!

INDEPENDENT, however, of all personal considerations, the President had sufficient reason for refusing the request of Cooper. It is true, that this latter was, according to the then existing law, become what is called an American Citizen; but, it was easy to perceive, that his being employed as Agent would not have contributed to the harmony, which it was, at that time, hoped would prevail in the Board of Commissioners. The British Commissioners, gentlemen of loyalty and honour, could not have listened with much respect to the companion of

Watt

Watt and the lying preacher of emigration; and, had they, in consideration of the office, forgotten the man and his hostility to the Sovereign, whose commission they bore, there was every reason to suppose, that he would avail himself of the numerous opportunities that would offer, to keep their memories continually refreshed.

But, strong as these reasons for refusal, and others that might be mentioned, were, the patriots of Northumberland seem not to have perceived their force. Another appointment, too, which took place soon after the rejection of Cooper, probably aggravated their disaffection; I allude to the appointment of Rush to the Treasureship of the Mint, a post which would have suited Doctor Priestley to a nicety, and of which he certainly was as worthy as his more smooth tongued competitor. I donot know that the Doctor actually applied for this place; but it was talked of as a thing that he would like; and certain it is, that, from the time of this appointment to the present day, the Doctor and his friend Cooper have, on all convenient occasions, shown themselves the bitter enemies of Mr. Adams, his administration, and his measures.

The season however, for *open* opposition to the Federal government, was, for a long time, inauspicious. The summer of 1799 warmed the dormant faction into life. In Pennsylvania, M'Kean, the avowed friend of France, of Jeffer-

son, and of democracy, was a candidate for the important office of Governor. To him, therefore, who had, in his State, ten times as many offices in his gift as the President, the emigrated philosophers looked, with confidence, for that profit and importance, which they had in vain solicited from the Federal Government; and, that they might not be destitute of a ground for their pretentions, they zealously, ably, and efficaciously supported his cause in the canvass that preceded his election.

DURING this canvass, this six months of disputation, of intrigues, of reciprocal calumny, of anxiety, of hope, of fear, and of hatred, Cooper, who is possessed of talents, intrepidity and perseverance, that would do honour to a better cause, voluntarily became the editor of a news-paper published in his neighbourhood, during which editorship he published, in his own name, a number of essays, of which I shall speak more fully in my letter to himself. One of these essays, which was, indeed, a well written, a most artful, and an extensively mischievous performance, drew from the Federal party,—not a reply, but, a *publication of the anecdote of his application to the President,* of which the following is a copy, taken from a Reading paper, in which it was first published, on the 26th October, 1799.

" *Thomas Cooper's* address to the readers of
" the Sunbury and Northumberland Gazette, of
" which

" which he was Editor, having been re-publish-
" ed in this State, with an introduction approba-
" tory of the piece, a correspondent wishes to
" know if it be the same *Thomas Cooper*, an En-
" glishman, of whom the following anecdote is
" related? If it is, every paper devoted to truth,
" honour and decency, ought to give it a tho-
" rough circulation."

" NOT many months ago, it is said a *Mr.*
" *Cooper*, an Englishman, applied to the Pre-
" sident of the United States to be appointed
" agent for settling the respective claims of the
" citizens and subjects of this country and Great
" Britain." In his letter he informs the Presi-
" dent that although he *(Thomas Cooper)*, had
" been called a Democrat, yet his real political
" sentiments were such as would be agreeable
" to the President and goverment of the United
" States, or expressions to that effect. This letter
" was accompanied with another from *Dr. Joseph*
" *Priestley*, who did not fail to assure the Pre-
" sident, of the pliability of his friend *Cooper's*
" democratic principles. The President it is said
" rejected *Cooper's* application with disdain, and
" *Priestley's* with still stronger marks of surprise,
" saying, it is said, as he threw the letter on the
" table, does he think that I would appoint any
" Englishman to that important office in prefer-
" ence to an American!—What was the conse-
" quence?—When *Thomas Cooper* found his ap-
" plication for a lucrative office under our Pre-
" sident rejected he writes in revenge the address

" which

" which has appeared in print, and Dr. *Priestley*
" exerted his influence in dispersing this very
" address, which he must know was the offspring
" of disappointment and revenge!!!"

THE reader, who compares this anecdote with the Letters of Dr. Priestley and Cooper, and who, like me, is willing to give the devil his due, will allow, that a narrative more destitute of candour and of truth never disgraced even an American news-paper. It was attributed to the officers of the Federal Government, who, it was said, *must* have, at least communicated the fact; but, besides the want of grammar in the composition, and the gross falshoods of the statement, it is by no means credible, that the government would be guilty of such an unpardonable act of meanness as to combat its adversaries by divulging the applications, dictated, probably, by their poverty. Had this, however, been the case, I see no reason (provided the truth had been adhered to) on which either Priestley or Cooper could, consistently with their principles, have grounded a complaint; for, they have both repeatedly declared (indeed, it is one of their favourite maxims), that government should have *no secrets*.

COOPER published, in a hand-bill, on the 2d. of November, 1799, a regular reply to the anecdote, in which reply he vindicated his conduct in making the application for an office under the President, and endeavoured to do away all appearance

pearance of inconsistency, by stating, that his application was made before the President had sanctioned any of the measures, which were in the opinion of the patriots, so abhorrent to true republicanism, so destructive to the interests and so dangerous to the liberties of the people.—"Nor do I," said he "see any impropriety in "making this request, to Mr. Adams: at that "time he had just entered into office, he was "hardly in the infancy of political mistake; even "those who doubted his capacity, thought well "of his intentions. Nor were we yet saddled "with the expence of a permanent navy, or "threatened, under his auspices, with the ex-"istence of a standing army. Our credit was "not yet reduced so low as to borrow money at "eight per cent. in time of peace, while the un-"necessary violence of official expressions might "have justly provoked a war. Mr. Adams had not "yet projected his embassies to Prussia, Russia, "and the Sublime Porte, nor had he yet inter-"fered, as President of the United States, to in-"fluence the decisions of a court of Justice—a "sketch of authority which the Monarch of Great "Britain would have shrunk from—an interfer-"ence without precedent, against law, and "against mercy. This melancholy case of Jo-"nathan Robbins, a native citizen of America, "forcibly impressed by the British, and deliver-"ed up, with the advice of Mr. Adams, to "the mock trial of a British Court Martial, had "not yet astonished the republican citizens of this "free country; a case too little known, but of

"which

" which the people ought to be fully apprized, " before the election, and they shall be."

As to the truth or the falsehood, the innocence or the criminalness, of this passage, it is not now my business to enter into an inquiry. It furnished the ground for a criminal prosecution; the author was indicted at the last Circuit Court of the United States for the district of Pennsylvania; his plea was not guilty, he set up a justification, pleaded his own cause, was found guilty, and was sentenced to pay a fine of 400 dollars and to suffer six months imprisonment on the felon side of the Philadelphia jail, where he now is.—May such be the fate of every Republican Briton!

" A MISFORTUNE," says the proverb, " seldom comes alone." So it happened now; for the day after Cooper was convicted, news was received in Philadelphia, that Dr. Priestley and his family were all *poisoned*, by the hands of his own S——! I give the article as I find it in Brown's Philadelphia Gazette of the 29th of April.

From the Reading Advertiser of Saturday last.

" Extract of a letter from a respectable gentleman
" in Northumberland, dated April 17th, 1800, to
" his friend in this place.

" ON Monday last Dr. Priestley, Mrs. Priest-
" ley,

" ley (wife of Mr. Joseph Priestley jun.) her two
" children, a hired girl, and a little bound girl,
" all of them were poisoned; they are however so
" far recovered, with their own exertions, (by
" drinking warm water) and the assistance of the
" medical gentlemen of this place, that they are
" supposed to have overcome the most iminent
" danger. The hired girl made a pudding for
" dinner, took the flour as usual out of the meal
" chest, but discovered some shining particles of
" some substance intermixed with the flour—she
" acquainted Mrs. Priestley thereof, who thought
" little or nothing of it—the girl however and a
" hired man, went to the chest, and took off the
" top which appeared to have most, and threw
" it away; otherwise they all must have inevita-
" bly fallen an instantaneous sacrifice. The
" poison intermixed with the flour is said to be
" arsenic, and was so strong, that after the Doc-
" tor and family had discharged a quantity from
" their stomach, by vomiting, the poultry eating
" thereof almost instantly died.

" THIS horrid deed of the person that
" is supposed to have committed it, did not
" surprize me in the least when related to
" me, as the opinion I entertain of the Doc-
" tor accords with the principles of true De-
" mocracy—and his S—'s (one of the family) are
" the same—this ordinary drunken wretch is
" supposed to be the perpetrator—Mrs. Priestley
" has said it was him; the hired girl, for several
" days before seen him about the meal chests,

" opening

" opening them, asking her who eats Indian
" meal, and who eats wheat meal, &c.? The
" Doctor and his S—, are so full of French prin-
" ciples that nothing appears strange in this af-
" fair."

THIS account has been republished in most of the newspapers, and it does, hitherto, remain uncontradicted by any thing that I have seen or heard of.

To avoid a digression in the preceding narrative, I have reserved it for this place to observe, that while Cooper was labouring in that fertile vineyard, the newspapers, Dr. Priestley was publishing, in the form of pamphlets, a series of letters, addressed to the people of Northumberland, the evident object of which letters was to pay his court to M'Kean, by satyrizing his old and intimate friend, the President, and the government of which he was at the head. To defend Mr. Adams and the Federal Government against an attack, which, I will venture to say, has done them more harm, in Pennsylvania, than any one they ever had to encounter, I have not the capacity. I have seen the time, indeed, when I should have had the inclination, and should have made the attempt; but I now unreluctantly resign the task to the *Boston Slaves* and the " *True Americans*;" to those who formerly received the " *persecuted* Priestley" with peals of applause; to those who menaced me with " banishment," and who exulted in the hope

hope of making me "a blighted picture of in-"famy and ruin;" to the calumniators of my king, the enemies of my country, and the oppressors of myself.* All I have to say to Dr. Priestley and to Cooper is between ourselves, as *British subjects*, a title which I have valued above all others ever since emigration taught me how to discriminate, and which, I believe, is not now so degrading in *their* sight as it formerly was.

To Dr. Joseph Priestley.

Sir,

The season of disgrace is also the season of reflection; it is therefore probable, that the neglect, the rebuffs, and the insults, which you have latterly received from those by whom you were formerly caressed, may have brought to your recollection the warning I gave you upon your arrival in America:—"A man of all countries is "a man of no country: and let all those citizens "of the world remember, that he who has been "a bad

* The oppressive, the unprecedented, the abominable decision against me at Philadelphia has been ascribed to *party spirit;* but, justice to those whom I so long combated, demands from me the acknowledgment, that the *Democrats* were not only perfectly innocent of the deed, but that they expressed, and do still express, their horror at it. The insidious and malignant prosecutor is an officer under the Federal Government, the Judge, the Jury, the lawyers of Rush, and, am sorry to add, my own lawyers, were all *Federalists*, to a man!

" a bad subject in his own, though from some la-
" tent motive he may be well received in another,
" will never be either *trusted* or *respected.*" *
When I wrote this sentence, I was fully persuaded I should see it verified by you ; but little did I expect, that, in the short space of five years, I should see the salutary truth acknowledged, and proclaimed to the world, by yourself.

To your *Ten Letters*, addressed to the inhabitants of Northumberland in Pennsylvania, you have prefixed the motto, " *nunquamne reponam ?*" Why not ? Who hindered you from replying ? What kept you silent so long ? And what, at last, urged you to reply ? Very little notice had been taken of you in print for some months preceding the date of your letters. In short, Doctor, it is evident, as well from the circumstances under which you published, as from the publication itself, that you wrote, not to clear up your own character, but to gain the good-will and the patronage of M'Kean, which as it conveniently happened, you were enabled to do by indulging your spleen against the President and the Federal government.

You were, however, placed in a puzzling dilemma. If M'Kean were elected without any assistance from you, you foresaw that you could have no pretentions to his favour; and, as you could

* See Observations on the Emigration of Dr. Joseph Priestley, &c. which were first published in 1794.

could render him no essential service without attacking the Federal Government and its measures, you were compelled to make that attack, which was, besides, necessary to remove an opinion, that was very prevalent, of your being still in the confidence and in the interest of the President. On the other hand; you must have perceived, that a bold and unqualified censure, not only on Mr. Adams and the measures of his government, but on the *constitution* itself, would come very awkwardly from the pen of Dr Priestley, who had been one of the warmest admirers and loftiest eulogists of that constitution. You must have been aware, that you were about to undo all the mischief you had done; that your meditated attack, while it served the cause of democracy in America, must inevitably serve the cause of monarchy in Europe; that some one would not fail to compare your present sentiments and declarations, with those which you had promulgated on former occasions, and to avail himself of your experience and acknowledgements for the purpose of destroying your dangerous principles. This much you might have expected, and, I dare say you did expect, from *me*; if you did, I shall now endeavour to fulfil your expectation, assuring you, that it has not been for want of inclination, that the duty has remained so long unperformed.

FAR be it from me to join in the brutal exultations of the *Boston Slaves* and "*True Americans.*" These base wretches, who, but a little while

while ago, cloyed you with fulsome panegyricks, and abused me for my animadversions on your conduct, are now rejoicing at your disappointments, mocking at your anguish, and almost expressing their regret that the rats'-bane you found in your porridge did not prove mortal. It is worthy of remark, and must, I think, have struck you very forcibly, that the *Philadelphia Gazette*, which was the first to censure my Observations on your emigration, was also the first to express satisfaction at your being poisoned! A memorable instance of the versatility, the baseness, the savageness of republicanism!

To imitate the cowardly triumph, the dunghill cock crowing, of these servile wretches I scorn. That you have been *disappointed* in your political expectations, that you have met with refusal, neglect and contempt, instead of caresses and rewards, for your unwarrantable endeavours to exalt America above your own country, I most heartily rejoice; but I do not rejoice at your private *calamities*; and if I ever expressed a wish to see you suffer bodily or domestic torment, it was expressed without due reflection, and is now retracted with the utmost sincerity.

It is not my intention, Sir, to give a regular answer to your Ten Letters: I only mean to point out to you, and to our countrymen, the disagreement between your present and your former sentiments respecting the American Government, leaving the defence of that government

to

to those who admire it now as much as you formerly did.

By way of introduction to the censures you are about to pass, you take occasion to insist on the harmlessness of a man's publishing his sentiments, be they what they may, and to suppose a case, which, to say the truth, is not inapplicable. "If," say you, "I were to advise you to "change the whole form of your government "from a republic to a monarchy, and if, notwithstanding all I could urge in favour of such "a government, you should prefer what you call "*liberty*, in which persons of all ranks, qualified "or unqualified, give the greatest part of their "time to a subject which they will never understand, and still chuse to clamour, and almost "fight, about endless elections of magistrates, no "harm would be done. You might proceed just "as you had done before. If, in order to prevent the mischief that often arises from *competition*, I should advise that, instead of making "a king of any native American, who would not "soon acquire the proper disposition and habits "of one, you should return to your former allegiance to the king of Great Britain, a king ready "formed to your hands, who would, no doubt, "forgive all that was past, and promise you the "best treatment for the future, and thus become "a wing of that great empire which now commands the world, and share in her honour, and "you should not quite like the proposal, I should "still hope to be excused for making it, from

"my

" my loyalty to my natural sovereign, and my
" zeal for the honour of my native country, even
" if I did not consult your interest in it: and as
" you would not be hurt, you could not be much
" offended. *Mr. Cobbett*, a greater admirer of
" England than I am, would no doubt, go far-
" ther than I could in its commendation. He
" might say that, could you but see the king of
" Great Britain seated in his robes on the throne
" in the house of Lords, with all the Lords and
" Bishops in their robes; could you see him ser-
" ved on the knee, and persons kissing his hand,
" you would be ashamed of your President, and
" every thing belonging to him. He might say
" that an American would be struck dumb at
" the sight of an English judge seated in his scar-
" let robe on the bench, with all the lawyers in
" their gowns, and flowing wigs. He would say
" that the best man among you was hardly fit to
" be made a justice of the peace in England. And
" then what is your *navy?* It is not so much as
" the *frog* compared to the *ox* in the fable; and
" might bid you take care lest the *ox* should set
" his foot upon it. But should you consider all
" this as mere prejudice in favour of our native
" country, you would only smile at our repre-
" sentations, and not be angry."

When you wrote this, Doctor, you were humming the Northumbrians, or you were certainly humming yourself; for, I believe, you have since felt, that the good citizens of America do not listen to such royalist propositions with an

an extraordinary degree of patience. But, why did you put the severest of these sarcasms into *my* mouth? God knows, I have anti-republican sins enough to answer for, without being loaded with yours. *I* never said, that, if the people of this country could see their old king, they would be ashamed of their President and every thing belonging to him; *I* never said, that the best man in America was hardly fit to be made a justice of the peace in England; nor did I ever crack my jokes on the infant navy, in any way whatever, much less did I ever dream of comparing it to the vain and stupid frog that burst herself by endeavouring to puff up her diminutive and despicable carcase to the size of the majestic Ox.

As to *judges*, I grant you, I have been rather free: I have, at times, drawn comparisons not altogether advantageous to certain people, whom I believe, you have the honour, at this time, to call your friends. But, I never wasted my time in talking about the *robes* of a judge; people, like the Pennsylvanians, who have seen a chief-justice canvassing for himself from the very bench; people who have heard of a judge's thieving in a shop, or in the lobby of Congress, who have heard of another harbouring a known thief in his house, who have heard of another committing murder with impunity, and who have, so very lately, seen exalted to the bench of the supreme court, a man, who, but a few years ago, took the benefit of an amnesty, and actually turned

States'

States' evidence against his accomplices!!!— People who have been accustomed to these things, Doctor, would not be struck dumb at the sight of an English judge, though seated in his scarlet robes.

In order to reconcile the seeming contradiction in your sentiments, delivered at different epochs, you tell your neighbours, that you found things not what you expected to find them.— "When," say you, "I left England, "I was induced to come hither chiefly on account "of my high admiration of the constitution of "your government. It was at that time the "only one that had been drawn up with delibe- "ration by persons appointed for that express "purpose, and solemnly accepted by the nation. "It was wholly founded on the *rights of man*, and "the *sovereignty of the people*. There were no "hereditary honours, or powers of any kind, and "no form of religion established by law. The "power of making peace or war, and also that "of regulating commerce with foreign nations, "as well as among yourselves, was wisely pla- "ced in the Congress. Your country was then "open to all new comers without any restric- "tion; and that great and necessary guard of li- "berty the *freedom of speech and of the press*, "was uncontrouled. To my great surprise and "mortification, however, I now find that several "of these articles, essential to a truly free go- "vernment, have been, in my opinion, on one "pretence or other, infringed. Or, if the pre-

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" sent state of things be really agreeable to the
" Constitution, it was not drawn up for the use
" of plain men, but of very acute lawyers only.
" Certainly the comment does not naturally flow
" from the text; or there was in the letter of the
" constitution a latent ambiguity, which defeats
" the professed object of it. Thus because your
" Constitution gives to the President, and two
" thirds of the Senate, the power of making trea-
" ties with foreign powers, and treaties may re-
" late to any subject in which different states
" may be concerned, they may make treaties of
" alliance, offensive and defensive, and also trea-
" ties of commerce; and by this means all inter-
" ference of the proper representatives of the peo-
" ple either in the business of commerce, or of
" peace and war, in which they are most concer-
" ned, and in which they therefore ought in rea-
" son to have the most controul, is effectually
" precluded. The treaty, shackling their com-
" merce, or involving them in a war, is actually
" made independently of them, and all their ob-
" jections to it have no effect.—Since treaties
" become parts of the law, by which the courts
" of justice are bound, I do not see but that it is
" in the power of the President and two thirds
" of the senate, that is I believe of twenty one
" men, to bind the country " *in all cases what-*
" *soever.*"—It is, moreover, contended by the
" friends as they are called, of government, that
" when, in consequence of any treaty, money is
" to be raised to carry it into effect, the repre-
" sentatives of the nation, who give the money,

" must absolutely raise the sum required, or as " the phrase is, make the appropriations; having " no other choice than that of raising it in what " they may think the best manner.—This is a " power which even the parliament of Great " Britain *has not yet been brought to surrender.*"

THUS, then, it appears that you were deceived, and that experience has convinced you, that the House of Commons in England is, in the most essential point, more independent of the king and his nobles, than the Representatives of America are of the President and the senate? But, Sir *when* did you discover the deception? The infringement, (if it was one) of which you speak, respecting the treaty-making power, took place in 1795, just after your arrival in the country; and, if it did really give you such " great mortification," how happened it, that you did not notice it before, particularly as the press was then, according to your own confession, uncontrouled? The *alien* and *sedition* laws, are, indeed, of a more recent date; but they were passed early in 1798. What, then, you made you delay your animadversions 'till the Summer of 1799? It is unfortunate, that after remaining so long a silent spectator of a violated constitution, you should have taken up the pen to remonstrate, and that you should have ventured to do it, too, after the Congress had made laws, " to restrain the freedom of speech and of the press, *more severe than those in England*!" It is tremely unfortunate, that you should have been roused from your slumber, *after* you had been slighted

slighted by the Federal Government; and that you should have braved every danger from the laws, just at the time that *a new patron* stood in need of your assistance in this way; just at the time when some overt act of hostility against Mr. Adams and his government was necessary to convince M'Kean and his party, that you retained no attachment to your former friend and companion.

SHOCKED, as you were, at these violations of the constitution, it was quite natural for you to propose the establishment of a court of your own invention to prevent further violations; nor was it very astonishing, that, while your hand was in, you should propose certain amendments to the constitution itself. As, however, these will never have any existence but in your brain, I shall pass them over, observing only, that your wanting already to reform "*the government of your choice*," is a pretty good justification for those, who rejected your projects for reforming that of Great Britian.

ON the *standing army*, which forms another subject of complaint with you, I shall speak to your friend and fellow-labourer, Cooper, who has, I presume, by this time, learnt the precise value of the word *standing*, both in its monarchical and republican acceptation.

THE violations of the constitution, of which you speak, and which I have noticed above; the treaty-making power, the power to regulate commerce

merce, the granting appropriations, the indirect prohibition of emigration, and the restraint on the liberty of speech and of the press; all the encroachments (if there have been any), on these points, have, indeed, taken place since your arrival here; but, this certainly is not the case with respect to the œconomy, and the morals of the country, against which, however, you have now entered your protest, without considering, perhaps, in your zeal to serve M'Kean, that it is extremely unjust to charge Mr. Adams, or the Federal Government, with hardly any of the evils of which you complain. After reciting them, in your own words, I shall take the liberty to refresh your memory.

" WHAT seems to be more particularly impo-
" litic in this country, as ill suiting the state of
" it, is the duty on the importation of books,
" which are so much wanted, and which even
" great encouragement could not produce here.
" Is it at all probable that such works as the
" Greek and Latin Classics, those of the christi-
" an Fathers, the Poliglott Bible, the Philosophi-
" cal Transactions, or the Memoirs of the Aca-
" demy of Sciences, &c. &c. will, in the time
" of our great grand children be printed in the
" United States? and yet there is a heavy duty
" on their importation; and for every printer or
" maker of paper for printing, there are, no doubt
" several thousand purchasers of books, all of
" whom are taxed for their advantage. In these
" circumstances, it were surely better to have

" more

" more cultivators of the ground, and fewer " printers.

" A FOREIGNER travelling in the interior part " of this country, and finding the *want of roads,* " *bridges and inns,* wonders that things of such " manifest utility should not have had more at- " tention paid to them, when he sees that *great* " *sums are raised and expended on objects, the use* " *of which is at best very doubtful.* And men of " letters coming to reside here, find their hands " tied up. Books of literature are not to be had, " and philosophical instruments can neither be " made nor purchased. Every thing of the kind " must be had from Europe, and *pay a duty on* " *importation.*

" BUT all this may be short sighted specula- " tion; and it may be, nay I doubt not it is, bet- " ter for the world at large, that its progress should " not be so rapid; that a long state of infancy, " *childhood* and *folly,* should precede that of man- " hood and true wisdom; and that vices, which " will spring up in all countries, are better check- " ed by the calamities of war than by reason and " Philosophy.

" A STRANGER is apt to wonder that political " animosity should have got to so great a height " in this country, when all were so lately united " in their contest with a common enemy; and " that their enmity, which cannot be of long " standing, should be *as inveterate as in the old-*

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" *est countries*, where parties have subsisted time
" immemorial. But it may be the design of Pro-
" vidence, by this means, *to divide this widely*
" *extended country into smaller States*, which shall
" be at war with each other, that by their com-
" mon sufferings their common vices may be cor-
" rected, and thus lay a foundation for the solid
" acquisition of wisdom.

" A STRANGER naturally expects to find a
" greater simplicity of manners, and more vir-
" tue, in this new country, as it is called, than
" in the old ones. But a nearer acquaintance
" with it, will convince him, that considering
" how easily subsistence is procured here, and
" consequently how few incitements there are to
" the vices of the lower classes especially, there
" is *less virtue* as well as *less knowledge*, than in
" *most* of the countries of Europe. In many parts
" of the United States there is also *less religion*,
" at least of a rational and useful kind. And
" where there is no sense of religion, no fear of
" God, or respect to a future state, there will
" be no good morals that can be depended up-
" on. Laws may restrain the excesses of vice,
" but they cannot impart the principles of vir-
" tue."

" INFIDELITY has made great progress in
" France, through all the continent of Europe,
" and also in England; but I much question whe-
" ther it be not *as great in America*; and the want
" of information in the people at large, makes

" thousands

" thousands of them the dupes of such shallow
" writings as those of Mr. Paine, and the French
" unbelievers, several of which are translated and
" published here, and either through want of
" knowledge, or of zeal, *little or nothing is done*
" *by the friends of Revelation, to stop the baneful*
" *torrent.*"

Now, are all these things so, Doctor Priestley? Is it true that this *written* constitution, " ratified " by the solemn consent of the citizens, and " founded on the *Rights of Man* and the *Sove-* " *reignty of the People,*" is it really true, that this constitution has been violated in divers instances, and with impunity? Is it true, that the American Representatives have abandoned, to the Executive, essential privileges, which the British House of Commons do yet preserve? Is it true that the Congress have made laws, to restrain the press, more severe than those in England? Is it true, that there is, in this country, a burdensome and dangerous standing army? Is it true, that heavy taxes are raised and squandered on useless objects? Is it true, that the country is destitute of roads, bridges and other useful accommodations? Is it true, that child-hood and folly are the characteristicks of the nation? Is it true, that the people have less knowledge, less virtue, less religion, than those of most of the countries of Europe; and, is it indeed, true, that infidelity is making rapid and unrepelled strides, while political animosity threatens not only to destroy the government, but to tear the country to pieces?

pieces?—If all this be true, it is an act of charity to turn your attention, for a moment; from the gloomy picture, to that delightful one, which was drawn by your own hand about six years ago.

"I THINK" (saidyou in your answers to the addresses delivered to you upon your landing in America), "I think myself greatly honoured, flying as I do from ill-treatment in my native country, on account of my attachment to the cause of civil and religious liberty, to be received with the congratulations of a society of men, associated to cultivate the love of liberty, and the enjoyment of *a happy republican government.*"—This was a part of your answer to the Tammany Society. To the "republican Britons" (that is, the *rebel* Britons) you were more unreserved in your commendations of republicanism.—"I think myself peculiarly happy in finding in this country so many persons of sentiments similar to my own, some of whom have probably left Great Britain, or Ireland, on the same account, and to be so cheerfully welcomed by them on my arrival. *You* have already had experience of the difference between the governments of the two countries, and, I doubt not, have seen sufficient reason to give the decided preference that you do to that of this. *There* all liberty of speech and of the press, as far as politicks are concerned, is at an end; *Here*, on all subjects whatever, *every man enjoys the invaluable liberty of speaking and writing whatever he pleases.*

"THE

" THE wisdom and happiness of Republican
" governments, and the evils resulting from he-
" reditary monarchical ones, cannot appear in a
" stronger light to you than they do to me. We
" need only look to the present state of Europe,
" and of America, to be fully satisfied in this
" respect.—I congratulate you, gentlemen, as
" you do me, on our arrival in a country in which
" men who wish well to their fellow-citizens, and
" use their best endeavours to render them the
" most important services, men who are an ho-
" nour to human nature, and to any country, are
" in no danger of being treated like the worst
" of *felons*, as is now the case in Great Bri-
" tain."

BUT, say you, when I bestowed these commendations on the American Government, I was but just landed in the country, and, of course, could not know any thing of the evils and abuses, of which I now justly complain. That is very true; but, though your want of information on the subject might have been a very sufficient apology for *silence*, it was none for your advancing falshoods. The *Sedition law* was not, indeed, passed, when you boasted of the American liberty of the press; but, you ought to have known, that, at the very time that you thought proper to draw a comparison, in this respect, so disadvantageous to your native country, the laws, regulating the liberty of the press, were precisely the same in both countries, while every circumstance attending

attending the *administration* of those laws, was evidently in favour of the British writer.

NOT, however, to leave you any excuse on the score of want of information, I beg leave to remind you of a letter, which you wrote long after you were settled in America, and in which you say to your friend in England: "Every account "I have from England, makes me think myself "happy in this *peaceful retirement*, where I en- "joy almost every thing I can wish for in this life. "—The advantages we enjoy in this country are, "indeed, very great. *Here* we have *no poor*; "we *never* see a beggar, nor is there *a family* "in want. We have no church establishment, "and *hardly any taxes*. This particular state "[Pennsylvania] pays all its officers from *a trea-* "*sure in the public funds*. There are *very few* "*crimes committed*, and we travel without the "least apprehension of danger. *The press is per-* "*fectly free*.—I do not think there ever was any "country in such a state of rapid improvement "as this is at present."

THIS letter, Sir, you wrote in October 1796, after you had been two years and a quarter in your "peaceful retirement." How different are its sentiments from those of your Ten Letters to the inhabitants of Northumberland! And yet it is hard to conceive, that the difference has been produced merely by your different degrees of information. The liberty of the press has, indeed (according to *your* assertions), been abridged since

since the date of your letter of 1796, but, the other abuses and evils existed in 1796 as well as in 1799. The President and Senate had made treaties and regulated commerce in 1795; and you never knew the time when the United States had not the same sort of army that they have now. That the sedition, and other new laws, may have increased the "*political animosities*" of the people is very possible, but it is incredible that these laws *alone* should have produced dissentions that menace the existence of the government and the Union. These political animosities must have existed in 1796, and, indeed, every one knows, they did exist in 1796, and with little less violence than in 1799.

HOWEVER, we will suppose all these political evils to have been created by the *sedition law*, and, consequently, to have made their appearance since the date of your letter; yet, I presume, the same cannot possibly be supposed with respect to the other evils you now complain of. The sedition law certainly did not add to the *heavy tax on books*; it did not destroy the *highways*, *bridges* and *houses of entertainment*; it did not produce that *childhood and folly*, which, you say, mark the character of the American nation; nor did it, all at once, deprive the people of *knowledge*, *virtue*, and *religion*, or prevent the friends of revelation from exerting themselves to stop *the baneful torrent of infidelity*. No, Sir, you will find no one credulous enough to believe, that all these evils have arisen, and have grown

to

to such a fearful height, in the short space of *three years*. And, if they were in existence, when you wrote your letter of 1796, how could you, with such facts before your eyes, write such a letter?

THAT letter I first saw in a news-paper, published at Leeds, in England; and I have been well informed, that it was republished in all the manufacturing towns in that country, for the nefarious purpose of inveigling away the inhabitants, to a country where it was impossible for them to earn their bread, and where they must inevitably end their days in poverty and misery.

I HAVE more than once promised to enter into an examination of this emigration epistle, this land-jobbing gull-trap; and the present opportunity is, perhaps, as good a one as ever may offer.

"*Here*," say you, "we have *no poor*; we "*never* see a beggar, nor is there a *family* in "want."—This was in October 1796. Now, Sir, in that very year, which was not a year of Yellow Fever, or of any extraordinary distress, but, on the contrary, a year of uncommon public prosperity, there were received into the alms-house of Philadelphia alone, *five thousand and nine paupers*, and there were maintained in the said house, upon an average, constantly through the whole year, *four hundred and seventeen persons*. The sum expended, in support of these people, was £14040. 5s.

5s. 1d. * The poor taxes assessed for the house amounted to £. 12618. 12s. 2d. the *bastard* fines to about £.700, the balance being made up by the product of the labour of the poor and other trifling resources. The number of *families* and of individuals, who were, during that year, relieved by the overseers of the poor, and the sums expended in this way, I cannot precisely ascertain; but I am sure I am not far from being correct, when I state, that the whole sum expended on account of the poor, in that year, for the city of Philadelphia, was *sixty thousand dollars*, upwards of *thirteen thousand pounds sterling*, a sum, I believe, far exceeding the poor-expences of any town in Great Britain of equal population.—And yet, "we have *no poor!*"—After this statement, I leave your barefaced assertions, that "we *never* see a beggar, nor is there *a family in want*," to rest on their own credibility.

FAR be it from me to triumph in the detection of a falshood like this. It would have given me great pleasure to be able to confirm your account; but it would certainly be wrong in me, either actively or tacitly, to assist in the delusion, more especially when I consider, that such captivating falshoods have enticed thousands to this country, and have contributed not a little to swell the lists of misery.

"We

* Currency of Pennsylvania, which is about one third less in value than sterling, or British money.

" We have *hardly any taxes*. This particu-
" lar State [Pennsylvania] pays all its officers
" from *a treasure in the public funds*." The Officers are, I suppose, like every other expence, paid out of the treasury, and the *funds*, which the State possesses, were, recollect, *raised on the State*. There will not always be new lands to sell, nor will there ever be another Penn-family to disinherit. Notwithstanding these *unique* resources, however, and without saying a word about the Federal and State direct taxes that have been laid on *since* 1796, you were singularly favoured, Doctor, if you had " *hardly any taxes*" in that year. That there were poor taxes I have already shown, and, by my own receipt-book, I can prove there were others. I paid *all* the taxes for the house in which I lived, and those taxes for the year 1796, amounted to near 70 dollars, 21 dollars of which were for poor-rates; so that, my share of other State taxes for that year, amounted to 49 dollars, or about 11 pounds sterling; and if other people paid nothing, if the nice little republican government was supported out of the product of certain publick funds, I was very ill used. Nor must you tell me, that if I had lived in the country, I should have been exempt from these expences, I know a little of this matter, Sir, and I know, that a farmer in Pennsylvania, pays, in proportion to what can be cleared from his farm, more than is paid by a farmer in Great Britain; to which I will add, without the fear of being contradicted by any one acquainted with the fact, that the farmers

and

and peasants in England, are, in common, better fed, clad and lodged, than people of the same description in Pennsylvania.

"THERE are [in Pennsylvania] *very few* "*crimes committed*, and we travel without the "least apprehension of danger."—If you insist upon confining the meaning of the word *crimes* to robberies committed on the high-way, I grant you, there are not a great many; but there are more, in proportion to the population, than there were in France, before the blessed rebellion, of which you are an admirer. But, Sir, there are other crimes besides those of high-way robbery, and if the large packet of bills of indictment, which the attorney-general of Pennsylvania carries into every court of Oyer and Terminer, were not of itself sufficient, the light manner in which theft is spoken of might serve to convince you, that crimes are not scarce in that State. It is true, indeed, you do not see many *executions*; but, notwithstanding the *amelioration* (as it is called) of the penal code almost amounts to a direct encouragement of felony, you will see in the present neighbourhood of your friend Cooper, some hundreds of "unfortunate and guilty fellow citi-"zens," as Judge Chase called Fries, who, if they had been in England, would have swung on the gallows tree. In fact, I assert, and am ready to meet the enquiry at any time, that, in proportion to the population of the State of Pennsylvania, there are more capital crimes committed, than there are in the British Dominions, not excepting

cepting London and its vicinity; and, as to moral offences, there is more delinquency in office, there are more publick defaulters, more acts of swindling, more fraudulent debtors, more bastards begotten, more divorces, more eloped wives, more run-away apprentices, in the single State of Pennsylvania, which contains not *two hundred thousand souls*, than there are in the whole Kingdom of Great Britain, which contains about *eleven millions*.

You are fond of controversy, Doctor: take me up, then, upon this subject. I am ready to meet you at any time, and will confine myself to facts of 1796, the year in which you wrote your letter. The honour of your favourite State is at stake, and loudly calls on your patriotism for a defence.

"The press is *perfectly free*."—This was written in the year 1796, and, therefore, you will not, of course, allow your recent complaints to be cited in contradiction of your assertion. But Sir, these complaints are confined to the abridgement, which this valuable branch of liberty has suffered from the *sedition law*; whence it follows, that, tho' the proofs which I am about to produce in contradiction, are drawn from proceedings of a date somewhat later than that of your letter, they ought to be admitted; because, they were not grounded upon the sedition law, nor upon any other law, passed since the writing of your letter,

ter, and might, consequently, have taken place in 1796 as well as since that year.

In the year 1797, the Spanish Minister complained against me, to the Federal government, for publishing a libel against him and his king; the former I had called *a fop, half-don* and *half-sansculotte*, and the latter a *poor degraded creature*, who had entered into an alliance with the murderers of the head of his family. Notoriously true as this was, the Federal Government ordered a criminal prosecution to be commenced against me in the Federal court; but, the Spaniard, who then courted, his present wife, the daughter of your patron Mc. Kean, who was then Chief-Justice of Pennsylvania, wished, for reasons too evident to mention, to bring me to trial before his intended father-in-law, who, besides owed me a mortal grudge. The Federal government could not, of course, do any thing by way of compliance with this request; it was, therefore, resolved by Mc. Kean, in conjunction with the then Governor and Secretary of the State of Pennsylvania, to commence *another prosecution in the State-court*. But for two separate governments to prosecute a man at one and the same time, and for the same indentical offence, was something, for which even the *Rights of Man* had not, as yet, fnrnished a precedent. As, however, the ingenious sons of liberty are seldom long at a loss for the means of carrying a favourite point, it was resolved, that a prosecution should be pushed on in both courts, and, to pre-

 serve

serve the chances, and avoid the total defeat that might arise from one grand-jury's being governed by a favourable decision of the other, the two Attornies General compared their bills of indictment, one taking care to leave out such parts of my publications as the other had inserted. Thus were two crimes made out of one pretended libel; I had to give bail twice, and encounter the trouble, vexation, and expence of two criminal prosecutions, for publishing articles which would not have encouraged the most haughty and insolent man in England to appeal to the law.—And yet, "the press is *perfetly free*"!

BUT, say you, both the bills were returned *ignoramus*.—Very true, Doctor: the *grand-juries* preserved me from the clutches of your patron and his associates, they preserved my wife and children from want, and myself from the disgrace of inhabiting the felon side of the philanthropic Philadelphia prison, where your friend Cooper now lies; but, Doctor, these grand-juries, these invaluable preservers of liberty, are not an institution of the *Rights of Man;* they are not, and were not at the time when you wrote your eulogium on the liberty of the American press, peculiar to this country. I owed my preservation at that dangerous crisis, not to any reform in the jurisprudence of America, not to any additional safe-guard which the revolution had placed round the liberty of the press, but to that valuable part of the jurisprudence of our ancestors, that precious gem of the British Constitution, which the people of these States have, as yet,

had

had too much sense to destroy, and which still exists, in all its glory, in the country which gave us birth, and which you have had the ingratitude to defame.

I SHOULD now remind you of the malicious and vexatious prosecution of Rush, and of the unjust and oppressive proceedings therein, with none of which the *Sedition law* had any thing to do; but you want no information on this score, and I trust, that, before this time, the Rush Light is in a fair way of exposing the dark transaction to the view of our heretofore deluded fellow-subjects. I shall, therefore, conclude my remarks on your "*perfect liber-*" *ty* of the press," by the developement of an act of tyranny, in your present Governor Mc. Kean, that might have been an object of envy with Fouquier Tinville, or even with your Robespierre himself.

WHAT I am going to relate, took place under the government of Pennsylvania, and in the year 1797; therefore, the Federal Government and its sedition law, against which *alone* you now complain for having abridged the liberty of the press, have nothing to do with the matter. It took place in the State where you lived; it took place under the same laws and the same Governor and Judges that were in power when you wrote your letter of 1796, and when you told the people of England, that "*here* the press was *perfectly free*."

IN 1797, Mc. Kean, the Chief-Justice of Pennsylvania,

sylvania, formed the resolution of suppressing Porcupine's Gazette, a publication in which, on account of his violent attachment to the cause of France, he had been frequently assailed; but, not being able to fix on any thing that could be fairly called a libel, and having, in the case of Oswald, experienced some invonvenience from the untractableness of grand-juries, he fell upon a seheme by which he hoped to effect his purpose without their assistance.

He collected a bundle of my pamphlets and papers, and thereupon issued a warrant to bring me before him. This warrant (of which he refused me a copy) stated, that I had published certain false and malicious libels, against himself, against Mifflin, Dallas, Jefferson, Munroe, Gallatin, Old Franklin, the Duke of Bedford, Charles Fox, Sheridan, Lord Stanhope, Bonaparte, the Bishop of Bergamo, Pichegru, Robespierre, Talleyrand, Parker (the mutineer), Napper Tandy, Arthur O'Connor,—and the devil knows who besides.

Well, what did he demand? Not bail for my appearance, as the law required, to answer for these offences at the next court of Oyer and Terminer; no, he had no idea of committing his ridiculous charges to a grand jury, which is always composed of men of some respectability; he, therefore, demanded surety, of myself and two others, in the sum of *four thousand dollars*, for my *keeping the peace and being of good behaviour*! Having taken these recognizances, he immediately set himself

himself to work to collect my *subsequent* publications, to pick out of them what he was pleased to term *breaches* of *the recognizances*, and, thereupon he issued a civil process for the recovery of the four thousand dollars, in the name, and for the behoof, of the "*free* State of Pennsylvania." This action has been (in the same way as Rush's was) put off from court to court ever since December, 1797, and, as the times are now changed, will, probably, be brought to trial next month.—Whether he will succeed in getting such a jury as Rush got, is, as yet, uncertain.

To those who understand the law, the atrocity of this procedure must be too evident to need exemplification; and, every man of common sense must perceive, that, in a State where the usual course of law can be thus eluded; where grand-juries (the principal check on a partial court) can be dispensed with at pleasure; where a man must give security, or go to jail, for publishing what his accusers never intend to bring before a jury; where like bail can be demanded of him every week, and where he can be kept *constantly*, and for years together, bound to the peace and good-behaviour, at the arbitrary will of a judge, without ever having broken the peace or behaved ill, and without ever being brought to trial; where all this can be done, every one who has two grains of sense must perceive, that there can be no liberty of the press, nor any other liberty whatever.—Yet, you exultingly exclaim, "*Here* the press is *perfectly free*."

SUCH *freedom*, Doctor, *perfect* as it is, does not satisfy John Bull. Honest John is sometimes mong-headed and fickle; he sometimes wrangles with his best friends, while he hugs the villains who are ready and willing to cut his throat; but John never loses sight of the main chance, and, though a noisy patriot may wheedle him out of a good deal, you would find it very difficult to coax him into contentment with your Pennsylvanian liberty of the press: John's liberty, like his money, must be *sterling*, or he hurls it in your teeth.

ACCORDING to the law, and the established practice, in England, surety for good behaviour cannot be required from any man, for a libel, *before conviction*; and in all other cases where it can be required, it must be required by a justice of the peace, or by the court, upon conviction. No Judge of the king's bench has any such authority. A *sovereign people* may, indeed, say, that *their* judges ought to have greater power than those appointed by a king, and, if they like it, I am sure I have no objection, so long as it does not affect me. But, this is not the matter between you and me: you have, in a most artful and insiduous manner, endeavoured to perfuade the people of England, that the liberty of the press, which you enjoy in Pennsylvania is greater than that which they enjoy, and I have undertaken to undeceive them.

FITZHERBERT, in his *Natura Brevium* (a book of established authority in the law courts, both here and in England), treating of the writ *de securitate*

securitate pacis (security for the peace), says; "This writ lies, when a man is in fear or doubt, "that another will beat or assault him; and lies "properly where one man does threaten another "to kill him, beat him, or assault him"—Further, "the Justices of the King's Bench will not grant "*any* writ for sureties of the peace, without mak- "ing oath, that he is in fear of *corporal damage*." With respect to the *good behaviour*, Lord Coke says: "*libellous words are not a breach of the be-* "*haviour;* for though such words are motives, and "mediate provocations for breach of the peace, yet "tend they not immediately to the breach of the "peace, like a challenge."—The first of these authors wrote in the reign of Henry the Eighth, the second in the reign of Queen Elizabeth. Lord Coke, who is well known to have been no favourer of libels, cites a case, in which a man, after being, bound (for some offence) to be of good behaviour till a time named, did, *in the interim*, use slanderous words against the person, whom he had before offended; yet was it determined, that this was *no breach of his recognizance.*

Lord Camden, in speaking of an attempt somewhat resembling the procedure of M'Kean, exclaims: "What must one think of any court of "justice [not a single judge, off the bench] that "shall, upon the caption of a man as a libeller, "refuse to let him to bail, *before he has entered* "*likewise into recognizance for his behaviour?* "Nay, if the same person should afterwards be "guilty of any petty constructive misdemeanor,

"or

" or breach of the peace, *it might be pretended he* " *had forfeited his former heavy recognizance;* so " that, he would be punished, not in proportion " to his real transgression, but to one that was on- " ly supposed: and this in a country where law " presumes every man to be innocent until he be " found guilty! In plain words, it is a libel on the " constitution to hold such doctrine, and, in a " judge, a breach of his trust (which is *treason* at " Common Law) to support it. It would render " every English subject, by possibility, a miserable " fettered slave!'——It follows, then, of course that every Pennsylvanian is, by possibility, a miserable fettered slave; for, the tyranny, which Lord Camden trembled at in theory, Mc. Kean has reduced to practice.—And yet, Doctor, " *here* the " press is *perfectly free!*" And yet, this is the very man whom the people have just raised from the bench to the chair of State, with loud huzzas of " Mc. Kean and *liberty!*" Yea, this, this is the man, to promote whose election you took up your battered pen, and from whom you have been mean enough *to solicit a reward!*—" Tell it not in Gath; " publish it not in the streets of Askelon!"

THERE remains but one other subject of your letter of 1796 for me to notice, in doing which I shall be very brief.

" *Here* we have *no church establishment.*"—This is perfectly correct. I could, indeed, show that this is one of the greatest evils of the American system; that it is a defect, which the government feels

feels most severely, and which will, much more than any other cause, retard the national unity and happiness of the people. To say what I could wish to say, on this head, would demand room, which I have not to spare; but your observations of 1799, may, perhaps, induce you to fear, that your exultation of 1796 was rather premature. For, Sir, if the people of America, with those numerous advantages and those few temptations to vice, which you give them, are, as you say they are, *more ignorant*, *less industrious*, *less virtuous*, *less religious*, and, if there be *more infidelity* amongst them, *and less zeal to defend revelation*, where, I pray you, are we to look for all the good, which has arisen out of the absence of a church establishment? Doubt, Sir, that you have been deceived; forbear to rail against the Church, and hope, with me, that the day will never come, when a motley, mongrel crew of sectaries shall succeed in hurling her from her base, and, along with her, that ancient and glorious fabrick of which she has ever been, and still is the principal support. Nay, Sir, go one step further with me: *confess your errors;* acknowledge that you were deluded, and were instrumental in deluding others. Make all the atonement in your power: return home, and tell what you have seen. Never was there a man, who had a fairer opportunity of evincing true greatness of mind, of exchanging contempt for respect, misery for happiness. You have a country that ever stands with open arms to welcome her wandering sons; turn not from her maternal embrace to the selfish hug of democracy: at any rate, dis-

honour not the name of Englishman by becoming the eleemosynary eulogist of a puffed-up petty despot, whose person you must loath, whose actions you must reprobate, and whose character you must despise.

WITH this admonition I bid you farewell, assuring you, that, while I rejoice at your publick disappointments, there are very few who more sincerely regret your private calamities, and no one who more heartily despises your former panegyrists and present persecutors.

I am, Sir,

Your humble Servant,

WM. COBBETT.

☞ The Letter to Mr. Cooper will appear in the next Number of the Rush-Light.

[END OF No. V.—30th APRIL, 1800.]